

Title: Serious Concerns re: CTV 06-1.wpd

From: Richard W. Adams, Member, Berlin Cable Advisory Committee

Address: richmilladams@verizon.net

Date: July 10, 2006

The following comments are directed to the Department of Telecommunications and Energy - Cable Television Division on Proposed Amendments to Rules and Regulations Governing the Cable Television Licensing Process:

1. Verizon's proposal of having only sixty (60) days after their filing for a license application with a town is much too short. The action by a town's CAC (Cable Advisory Committee) to analyze and determine appropriateness of each finely defined aspect of an involved contract proposal and to schedule and advertise a town meeting on the subject requires many months of effort which can not be rushed. We recently produced a signed license with Charter Communications which required legal input and constant review by the town's selectmen. The entire process took approximately one and one-half years to complete.

2. Verizon's proposal of thirty (30) days for the town's selectmen to issue a decision on this proposal is much too short when you look at our selectmen's schedule and the frequency of their meetings. Also, this topic could not be handled adequately in just one meeting.

3. An appeals hearing regarding the failure of an issuing authority to take action within sixty (60) days of the date of filing needs to be at least doubled to one hundred twenty (120) days to process this procedure properly and with the required in-depth input.

4. A provisional license should not be issued because this would signify that proper thought and effort had not been expended in the creation of a final license which has an expiration date of several years. All fully negotiated licenses have clauses for both parties protecting them from all of the contingencies that Verizon stipulated in their proposal.

5. The thirty-six (36) month renewal of license window needs to be considered reasonable in light of the fact that few towns have ever needed more time than this and to shorten this time would be unjust when you look at the complexity of the cable TV licenses.

It is important that you take the necessary action to protect the towns of the Commonwealth of Massachusetts from the improper motives and actions of Verizon.

I appreciate that you will take my comments seriously when weighing all arguments pro and con regarding Verizon's proposal.

cc: Town of Berlin

William Anderson, CAC Chairman

Karl Aijala, Member CAC

July 10, 2006

Andrea Nixon
Clerk, Cable Television Division
Department of Telecommunications and Energy
1 South Station
Boston, MA 02111

Dear Ms. Nixon:

In response to the Cable Television Division's request for comments on proposal CTV 06-1, the Issuing authority for the Town of Berlin Massachusetts would like to state it is opposed to all parts of the proposal.

Verizon is proposing that a mandated public hearing be held within 60 days of the application filing and then have a completed license within 30 days of that hearing. The town of Berlin just recently completed a license renewal with Charter Communications. The current timeframe of license completion in one year was difficult for us to accomplish even given the fact that it was a renewal license not an initial grant. In fact we had a period with no formal license agreement because we didn't meet the deadline due in large part to licensees slowness to respond. The proposed timeframe does not give the town enough time for review, negotiations, and drafting of a cable television license.

While increased cable television rate competition is desirable, it is so only if it also meets the municipalities other needs. The town of Berlin does not want to see local access effectiveness further eroded as is being done by satellite television systems in place already.

Specific concerns that we see with this proposal so far center on no guarantees regarding the integration of any new license with our existing license with Charter Communications LLC, Level Playing Ground concerns/assurances amongst competitors, as well as Local Access technical details which need to be addressed. It is our opinion that these issues are not something the State Cable Division is in a position to negotiate on our behalf. The rules suggested by Verizon do not address these municipality specific issues.

Since Verizon has not even contacted us yet we believe this proposal is unwarranted. The town of Berlin looks forward to speaking to Verizon about a Cable Franchise using the existing rules. The town of Berlin recommends against proposal CTV 06-1.

If you have any questions or comments please contact Berlin Cable Advisory Members
Bill Anderson at w_d_anderson@charter.net 508-843-7067
or
Karl Aijala at aijala_karl@emc.com 774-244-6984

Respectfully Submitted by
The Berlin Selectmen and the Berlin Cable Advisory Committee

